

AMENDED IN SENATE APRIL 8, 2013

**SENATE BILL**

**No. 163**

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**Introduced by Senator ~~Rubio~~ Hueso**

February 1, 2013

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An act to add Section 4659.1 to the Welfare and Institutions Code, relating to ~~health~~ developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 163, as amended, ~~Rubio~~ Hueso. ~~Health care coverage: regional center responsibilities.~~ *Developmental services: health insurance payments.*

*Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is authorized to contract with regional centers to provide services and supports to individuals with developmental disabilities, including, but not limited to, autism. The services and supports to be provided to a regional center consumer are contained in an individual program plan (IPP) or individualized family services plan (IFSP) developed in accordance with prescribed requirements.*

~~Existing law provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and provides for the regulation of health insurers by the Department of Insurance. Existing law requires those health care service plan contracts and health insurance policies, except as specified, to provide coverage for behavioral health treatment, as defined, for pervasive developmental disorder or autism. Existing law provides, however, that no benefits are required to be provided that exceed the essential health benefits that will be required under specified federal law.~~

~~This bill would declare the intent of the Legislature to enact legislation that would provide clarification for the implementation of those provisions of law with regards to fiscal responsibilities of regional centers that provide services and supports to individuals with developmental disabilities.~~

*This bill would require a regional center to pay any applicable copayment, coinsurance, and deductible imposed by a health insurance policy or health care service plan for a service or support required by a consumer's IPP or IFSP, as specified. This bill would prohibit a regional center from imposing on the consumer or his or her family a share of cost for, or income requirements relating to, those payments, and from seeking reimbursement for those payments. This bill would require a regional center to establish appropriate application and documentation forms to implement those provisions.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 4659.1 is added to the Welfare and
- 2     Institutions Code, to read:
- 3     4659.1. (a) If a service or support provided pursuant to a
- 4     consumer's individual program plan under this division or
- 5     individualized family service plan pursuant to the California Early
- 6     Intervention Services Act (Title 14 (commencing with Section
- 7     95000) of the Government Code) is paid for, in whole or in part,
- 8     by the consumer's or his or her parents' private health insurance
- 9     policy or health care service plan, the regional center shall pay
- 10    any applicable copayment, coinsurance, or deductible associated
- 11    with the service or support for which the consumer and his or her
- 12    family are responsible.
- 13    (b) The regional center shall not impose on the consumer or
- 14    his or her family a share of cost for, or income requirements
- 15    relating to, payments made pursuant to subdivision (a), and shall
- 16    not seek reimbursement for any payments made pursuant to
- 17    subdivision (a).
- 18    (c) The regional center may pay the family or provide direct
- 19    reimbursement to the provider, or to the health insurer or health
- 20    care service plan, for the payments required under subdivision
- 21    (a).

1     (d) A consumer and his or her family shall provide appropriate  
2     documentation to affirm that the payments required under  
3     subdivision (a) are for services that have been established under  
4     the consumer's individual program plan or individualized family  
5     service plan.

6     (e) The regional center shall establish appropriate application  
7     and documentation forms to implement this section.

8     ~~SECTION 1.—It is the intent of the Legislature to enact~~  
9     ~~legislation that would provide clarification for the implementation~~  
10    ~~of Senate Bill 946 of the 2011–12 Regular Session with regard to~~  
11    ~~fiscal responsibilities of regional centers.~~